

FILED

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**New Jersey State Board of
Massage and Bodywork
Therapy Examiners**

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
NEW JERSEY STATE BOARD OF
MASSAGE AND BODYWORK THERAPY

IN THE MATTER OF THE
LICENSE OF

ILYA SHAVULSKIY
License # 18KT00321300

TO PRACTICE MASSAGE AND
BODYWORK THERAPY IN THE
STATE OF NEW JERSEY

Administrative Action

FINAL ORDER
OF DISCIPLINE

This matter was opened to the New Jersey State Board of Massage and Bodywork Therapy ("the Board") upon receipt of information which the Board has reviewed and on which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Respondent is a licensed massage and bodywork therapist in the State of New Jersey, and has been a licensee at all times relevant hereto.

2. In a letter dated November 8, 2012, respondent was asked to provide information about an arrest on October 12, 2012 on charges of promoting prostitution. The letter was sent by certified and regular mail to respondent's address of record.

3. The certified mailing was returned, marked "unclaimed, unable to forward." The regular mailing was not returned. No response has been received to date.

CONCLUSIONS OF LAW

1. Respondent's failure to respond to the Board's inquiry constitutes a failure to cooperate with a Board investigation within the intendment of N.J.A.C. 13:45C-1.2, -1.3, subjecting respondent to sanctions pursuant to N.J.S.A. 45:1-21(e).

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on August 13, 2013, provisionally suspending respondent's license to practice massage and bodywork for a minimum of three months, and imposing a \$200.00 civil penalty. A copy of the Order was served upon respondent by certified and regular mail at his address of record. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry unless respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.


Although the record reflects that the certified and regular mailings of the order were sent to respondent's address of record with the Board, both mailings were returned, and the certified mailing was marked "return to sender," "vacant," and "unable to forward." Inasmuch as the mailings were sent to respondent's address of record with the Board, the Board found that constructive service had been effected. Respondent cannot evade process by failing to comply with his obligation to provide a valid address to the Board. The Board further determined that under the circumstances additional proceedings were not warranted, and the Provisional Order should be made final.

... ACCORDINGLY, IT IS on this 12th day of November, 2013,

ORDERED that:

1. Respondent's New Jersey license to practice massage and bodywork therapy is hereby suspended for a minimum of three months. Respondent shall not be reinstated until he has fully responded to the Board's inquiry..
2. A civil penalty in the amount of \$200.00 is hereby imposed on respondent.

NEW JERSEY STATE BOARD OF
MASSAGE AND BODYWORK THERAPY

By: 
Deborah Overholt
Board Chairperson